IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WA.No. 1627 of 2007

AGAINST THE JUDGEMENT IN WPC.14652/2007 Dated 08/06/2007
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APPELLANT: PETITIONER:

M/S. A.P.K. CASHEW INDUSTRIES,
KILIKOLLOOR, KOLLAM-4, REPRESENTED BY ITS
MANAGING PARTNER, A.POOKUNJU, S/O.ALIKUNJU,
MALIKA VEEDU, KILIKOLLOOR, KOLLAM-4.

BY ADV. SRI.ANCHAL C.VIJAYAN

RESPONDENTS: RESPONDENTS:
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1. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, KOLLAM.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM.

3. THE SALE TAX ASSISTANT COMMISSIONER
(ASSESSMENT), SPECIAL CIRCLE, KOLLAM.

BY SENIOR GOVERNMENT PLEADER SRI MUHAMMED RAFIQ

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

W.A.No.1627 of 2007

Dated, this the 5th day of July, 2007

JUDGMENT

H.L. DATTU, CJ.

This appeal arises out of an order passed by the learned Single Judge in W.P.(C) No.14652 of 2007 dated 8.6.2007.

2. What was questioned by the petitioner before the learned Single Judge was an order passed by the assessing authority and the revenue recovery notice issued pursuant to the said assessment order.

3. Before approaching this court the petitioner had also filed an appeal before the first appellate authority.

4. The learned Single Judge, while disposing of the writ petition, has only directed the petitioner to pay one-third of the amount demanded in the revenue recovery notice and further has directed the first appellate authority to dispose of the appeal filed by the petitioner against the orders of assessment passed, within a particular time-frame.

5. Having gone through the pleadings and the orders passed by the learned Single Judge, we are of the firm opinion that the learned Judge has not committed any error whatsoever. Accordingly, this writ appeal requires to be rejected and it is rejected. Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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